

REMARKS

Applicant respectfully requests reconsideration and allowance of claims 1-3 and 5-16, which are pending in the above-identified patent application. Applicant has amended claims 1, 6, 8, 13, and 15. No new subject matter has been added by way of the amendments herein.

Rejection Under 35 U.S.C. § 112

At page 2 of the Office Action, the Examiner rejected to claims 1-3 and 5-16 under 35 U.S.C. § 112, second paragraph, alleging that the subject claims are indefinite on the grounds that claims 1, 8 and 15 are not clear as to the meaning of "integral." In response, Applicant has amended the subject claims to recite that the side walls and the back wall are integrally formed as a single piece. Thus, Applicant believes that the Examiner's concerns have been addressed and requests that the Examiner withdraw the subject rejection.

Rejection Under 35 U.S.C. § 102

At pages 2-5 of the Office Action, the Examiner rejected claims 1-3, 5, 6, 8-13 and 15 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,574,922. In view of the amendments herein and remarks below, Applicant traverses the Examiner's rejection.

Independent claims 1, 8, and 15 require a mounting area for cable drum for either a power or manual window lift drive. In order to achieve such capability, the subject claims require a number of structural features, including:

that the mounting area includes side walls and a back wall that are integrally formed as a single piece;

that the first and second areas have respective, differing diameters for accommodating the power and manual window lift drives; and

that a thrust bearing is integrally formed on the back wall of the mounting area, in axial alignment with the first and second diameters of the first and second areas, and for receiving a mounting axle of the manual window lift drive.

The above structural features may be more readily appreciated when considering an embodiment of the claimed subject matter shown in FIGS. 1 and 2 of the instant application.

The door module 100 (or carrier) includes an integrally formed drum housing 104 having side walls and a back wall that are integrally formed as a single piece, which define an inner volume. The inner volume includes first and second areas, each having a particular diameter 107, 112 suitable for receiving either a cable drum 108 for a power window lift drive or cable drum 118 for a manual window lift drive. A thrust bearing 120 (or slide bearing) is integrally formed on the back wall of the drum housing 104 and is sized, shaped, and in axial alignment with the first and second areas so that it receives a mounting axle 122 of the manual window lift drive.

U.S. 6,574,922 fails to disclose or suggest the above structural details of claims 1, 8, and 15. U.S. 6,574,922 discloses a conventional door construction, namely a metal inner panel 12, and a separate, plastic door trim panel 20 (or carrier). The metal inner panel 12 includes a wall 54' and aperture 55' for receiving a driving shaft 45 of a power lift drive 40. The door trim panel 20 includes a cup-shaped housing 52, including side walls but no back wall. Instead, the housing 52 includes an aperture 51 extending through the housing 52, which aperture 51 is in registration with the wall 54' of the metal inner panel 12.

Integral, Single-Piece Construction

U.S. 6,574,922 fails to disclose that the mounting area includes side walls and a back wall that are integrally formed as a single piece, as claimed. Quite the opposite: U.S. 6,574,922 discloses that the back wall of the housing is formed by the metal inner pannel 12 and the side walls are formed by the panel 20. This is not surprising because making the metal part 12 and panel 20 of U.S. 6,574,922 from separate pieces is in accord with the "understandings and expectations of the art". As noted in paragraph [0015] of Applicant's specification as filed, the "understandings and expectations of the art" are to employ separate structures, mesh them and include sealing mechanisms to separate the dry-side and wet-sides of the drum housing. To employ an integral, one-piece drum housing, however, is not in accord with (it is counter to) the "understandings and expectations of the art" and, therefore, is both novel and un-obvious. (See, MPEP §2144.04(V)(B), citing *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983)).

Differing Diameter Areas

The Examiner takes the position that the first and second diameters illustrated in his modified version of FIG. 3 of U.S. 6,574,922 provided at page 4 of the Office Action. Upon close scrutiny of the reference, however, the Examiner's position is neither reasonable nor tenable. As will be demonstrated below, there is only one reasonable conclusion in this regard, U.S. 6,574,922 fails to disclose that the first and second areas have differing diameters for accommodating the power and manual window lift drives.

As illustrated in FIGS. 2 and 3 of U.S. 6,574,922, a number of extensions 56 protrude from the wall 52 of the housing 12'. The extensions 56 are employed to engage an annular groove 32 of the drum 30. Consider the section of U.S. 6,574,922 at col. 3, line 54 - col. 4, line 3:

The circular section of the cup-shaped housing 50 is closely adapted to the section of the drum 30, so that the drum can be fitted within said cup-shaped housing, while being adapted to rotate therein round the axis X-X' for lifting or lowering the window 18. Further, the width of the drum (along the axis X-X') is substantially equal to (preferably slightly lower than) the depth of the cup-shaped housing 50, so that the drum is completely engaged below (does not extend beyond) the inner surface 22 of said door trim panel 20.

As shown in FIGS. 2 and 3, the drum (often called pulley) has an annular groove 32 close to one of its ends. The groove is U-shaped, and cooperates with extensions 56 protruding from the internal peripheral wall 52 of the cup-shaped housing 50 for snapping the drum, and thus axially retaining said drum within the cup-shaped housing 50. The extensions 56 are preferably elastic tongues, or flaps, provided through the peripheral wall 52 of the cup-shaped housing. Reference 57 (FIGS. 2 and 6) refers to the cut openings defining the elastic tongues 56. The wall 52 can be provided with three snapping tongues regularly disposed therethrough.

The above discussion of the housing 12', the drum 30, the extensions 56 of the wall 52 and the annular groove 32 reveal that the author desired to communicate the desire for the drum 30 to substantially fill the volume of the housing 12' and that the diameter of the housing 12' is generally fixed. The Examiner has distorted the facts by taking the inner surface of a single extension 56 as establishing an entirely separate area having a differing diameter. The existence of one or more extensions 56, however, does not alter the diameter of the wall 52. A reasonable view of the facts is that the wall 52 of the housing 12' consists of a single diameter, where the

extensions 56 protrude from the wall 52 to engage the drum 30. Clearly, the author of U.S. 6,574,922 intended this interpretation because he states at col. 3, line 50-54 that "[t]he circular section of the cup-shaped housing 50 is closely adapted to the section of the drum 30, so that the drum can be fitted within said cup-shaped housing, while being adapted to rotate therein round the axis X-X' for lifting or lowering the window 18." Accordingly, U.S. 6,574,922 fails to disclose that the first and second areas have differing diameters for accommodating the power and manual window lift drives.

Thrust Bearing

U.S. 6,574,922 fails to disclose a thrust bearing integrally formed on the back wall of the mounting area, in axial alignment with the first and second diameters of the first and second areas, and for receiving a mounting axle of the manual window lift drive. The Examiner takes the position that this feature is labeled 54' in FIG. 3 of U.S. 6,574,922. This is not correct. Element 54' is the back wall of the housing 12'. There is no disclosure in U.S. 6,574,922 that the back wall includes a thrust bearing as claimed. Indeed, the word "bearing" appears nowhere in that document.

In view of the above, Applicant submits that U.S. 6,574,922 fails to anticipate the subject matter recited in independent claims 1, 8, and 15. As each of the subject dependent claims incorporates all the limitations of its respective base claim, and as each recites additional patentable subject matter, the Examiner is respectfully requested to withdraw the rejections of all the subject claims.

Rejection Under 35 U.S.C. § 103

At page 5 of the Office Action, the Examiner rejected claims 7, 14 and 16 under 35 U.S.C. § 103(a) as being obvious over U.S. 6,574,922. Applicant traverses this rejection.

Claims 7, 14, and 16 recite details related to the axial heights of the respective first and second areas and their relationship to the drum. None of these details are disclosed or suggested in U.S. 6,574,922. The Examiner merely provides some conclusory statement that such details are indicated in the drawing (which they are not) and obvious. This is not sufficient to sustain an

obviousness rejection. Rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. *Id.*; *KSR*, 550 U.S. at ___, ___ (2007); quoting *In re Kahn*, 441 F.3d 977, (Fed. Cir. 2006).

As discussed above, the housing 12' includes a single diameter wall 52 having one height for the drum housing 30.

According, Applicant respectfully requests that the obviousness rejections of the subject claims be withdrawn.

Conclusion

In view of the foregoing, Applicant submits that the instant claims are in condition for allowance. Early and favorable action is earnestly solicited. In the event there are any fees due and owing (or refundable) in connection with this matter, please charge same to our Deposit Account No. 11-0223.

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